



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
FREEDOM OF INFORMATION ACT BRANCH
Washington, D.C. 20570

Via email

January 10, 2022

Re: FOIA Request NLRB-2022-000332

Dear Ms. Lisa C. Schwartz:

This is in response to your request, under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, received on December 22, 2021, in which you seek “the Charge, Initial Letters to Charged Party and Charging Party, Amended Charge, Amended Charge Letters, Conformed Settlement Agreement Bilateral, Compliance Case--Certification of Posting, Compliance Case - Certificate of Compliance, Compliance Case--Closing Letter in *1 Prospect Technologies and Tipping Point Solutions, Inc., Joint Employers and/or Single Employer*, Case No. 28-CA-240798. You assumed financial responsibility for the processing of your request in the amount of \$37.00

We acknowledged your request on December 22, 2021.

A search of the Agency’s electronic casehandling system, NxGen, has been conducted. This search has located the requested records, which are attached.

After a review, I have determined that portions of the attached records are exempt from disclosure under FOIA Exemptions 6 and 7(C) (5 U.S.C. § 552(b)(6) and (b)(7)(C)). Specifically, redactions have been made to protect the privacy interests of individuals named in the records. These redactions were made pursuant to Exemption 6, which pertains to information the release of which would constitute a clearly unwarranted invasion of personal privacy, and Exemption 7(C), which pertains to records or information compiled for law enforcement purposes, the release of which could reasonably be expected to constitute an unwarranted invasion of personal privacy. 5 U.S.C. § 552(b)(6), (b)(7)(C).

For the purpose of assessing fees, we have placed you in Category D, the “all other requesters” category, because you do not fall within any of the other fee categories. Consistent with this fee category, you will be assessed charges to recover the reasonable direct costs for searching for the requested records, except that you will not be charged for the first two hours of search. NLRB Rules and Regulations, 29 C.F.R. § 102.117(d)(2)(ii)(D). Charges for all categories of

requesters are \$9.25 per quarter hour of professional time. 29 C.F.R.

§ 102.117(d)(2)(i).

Less than two hours of professional time was expended in searching for the requested material. Accordingly, there is no charge assessed for this request.

You may contact Teresita Sanabria, the FOIA Specialist who processed your request, at (202) 273-4000 or by email at teresita.sanabria@nrlb.gov, as well as the Agency's FOIA Public Liaison, for any further assistance and/or to discuss any aspect of your request. The FOIA Public Liaison, in addition to the FOIA Specialist, can further explain responsive and releasable agency records, suggest agency offices that may have responsive records, and/or discuss how to narrow the scope of a request in order to minimize fees and processing times. The contact information for the FOIA Public Liaison is:

FOIA Public Liaison
National Labor Relations Board
1015 Half Street, S.E., 4th Floor
Washington, D.C. 20570
Email: FOIAPublicLiaison@nrlb.gov
Telephone: (202) 273-0902
Fax: (202) 273-FOIA (3642)

After first contacting the Agency, you may additionally contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA dispute resolution services it offers. The contact information for OGIS is:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, Maryland 20740-6001
Email: ogis@nara.gov
Telephone: (202) 741-5770
Toll free: (877) 684-6448
Fax: (202) 741-5769

You may obtain a review of this determination under the NLRB Rules and Regulations, 29 C.F.R. § 102.117(c)(2)(v), by filing an administrative appeal with the Division of Legal Counsel (DLC) through FOIAonline at:
<https://foiaonline.gov/foiaonline/action/public/home> or by mail or email at:

Nancy E. Kessler Platt
Chief FOIA Officer
National Labor Relations Board
1015 Half Street, S.E., 4th Floor

January 10, 2022

Page 3

Washington, D.C. 20570

Email: DLCFOIAAppeal@nrlb.gov

Any appeal must be postmarked or electronically submitted within 90 calendar days of the date of this letter. Any appeal should contain a complete statement of the reasons upon which it is based.

Please be advised that contacting any Agency official (including the FOIA Specialist, FOIA Officer, or the FOIA Public Liaison) and/or OGIS does not stop the 90-day appeal clock and is not an alternative or substitute for filing an administrative appeal.

Sincerely,

/s/ Synta E. Keeling

Synta E. Keeling
FOIA Officer

Attachment: (19 pages)